

**Mailed**

DEC 29 2000

Technology Center 2100

Paper No. 9

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In re Application of: Philip Myron Ginsberg	)	
Application No.: 09/225,537	)	<b>DECISION ON PETITION UNDER 37</b>
Filed: January 4, 1999	)	<b>C.F.R. § 1.181 TO WITHDRAW</b>
For: FIXED INCOME PORTFOLIO	)	<b>HOLDING OF ABANDONMENT</b>
INDEX PROCESSOR	)	

This is a decision on the petition filed November 15, 2000 under 37 CFR § 1.181 to a withdraw the holding of abandonment of the above-identified application.

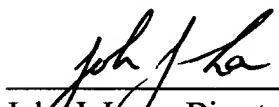
This application was held abandoned for failure to file a timely response to the Office action of mail date August 9, 2000. A Notice of Abandonment was mailed on October 24, 2000.

A review of the file record indicates that a Notice of Missing Parts was mailed on August 9, 2000. This letter set a two month time period for response. Under 37 CFR 1.136(a) Applicant may be granted extensions of time up to an *additional five months* upon filing a request with the requisite fee.

Therefore, the record is clear that the application was *not abandoned in fact* and a Notice of Abandonment should not have been issued. Note that the time period continues to be calculated from the original mailing date of August 9, 2000.

The office regrets any inconvenience caused by the precipitate mailing of the Notice of Abandonment.

The petition is **GRANTED**. The Notice of Abandonment is withdrawn. The application file will be returned to Central Files to await further communications from applicant.

  
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John J. Love, Director  
Technology Center 2100  
Computer Architecture, Software, and Electronic Commerce